

Notice of Allowability

Application No.

10/676,059

Applicant(s)

KATO ET AL.

Examiner

Courtney Thomas

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/21/04.
2. ☒ The allowed claim(s) is/are 1-15.
3. ☒ The drawings filed on 02 October 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Terminal Disclaimer

1. The terminal disclaimer filed on 06.21.04 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of any patent granted on Application No. 09/943,385 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Allowable Subject Matter

2. Claims 1-15 are allowed.

3. The following is an examiner's statement of reasons for allowance:

4. **As per claim 1 and dependent claim 3**, the examiner found no reference in the prior art that disclosed or made obvious a multi-leaf collimator comprising first and second leaf plate driving bodies further comprising one rotating device for moving a plurality of leaf plates along one direction by engaging with a gear portion at each of the plurality of leaf plates and a driving force transmitting/cut-off device as recited in independent claim 1.

5. **As per claim 2 and dependent claim 8**, the examiner found no reference in the prior art that disclosed or made obvious a collimator comprising first and second leaf plate driving bodies further comprising one rotating device for moving a plurality of leaf plates together along one direction during a certain period by engaging with a gear portion at each of the plurality of leaf plates and a plurality of engaging/ disengaging devices as recited in independent claim 2.

6. **As per claim 4 and dependent claim 6**, the examiner found no reference in the prior art that disclosed or made obvious a medical system having a collimator comprising first and second leaf plate driving bodies further comprising one rotating device for moving a plurality of leaf

plates along one direction by engaging with a gear portion at each of the plurality of leaf plates and a driving force transmitting/cut-off device as recited in independent claim 4.

7. **As per claim 5 and dependent claim 7**, the examiner found no reference in the prior art that disclosed or made obvious a medical system having a collimator comprising first and second leaf plate driving bodies further comprising one rotating device for moving a plurality of leaf plates together along one direction during a certain period by engaging with a gear portion at each of the plurality of leaf plates and a plurality of engaging/ disengaging devices as recited in independent claim 5.

8. **As per claim 9 and dependent claim 10**, the examiner found no reference in the prior art that disclosed or made obvious a multi-leaf collimator comprising first and second leaf plate driving bodies further comprising a) one rotating device for moving a plurality of leaf plates together along one direction during a certain period by engaging with a gear portion at each of the plurality of leaf plates b) a plurality of guide members for holding a leaf plate slidably in one direction and c) a guide member moving device for moving the guide members along a direction substantially perpendicular to the one direction as recited in independent claim 9.

9. **As per claim 11 and dependent claim 12**, the examiner found no reference in the prior art that disclosed or made obvious a multi-leaf collimator comprising first and second leaf plate driving bodies further comprising one rotating device for moving a plurality of leaf plates together along one direction during a certain period by engaging with a gear portion at each of the plurality of leaf plates and an expansion/ contraction member for expanding and contracting along a direction substantially perpendicular to the one direction as recited in independent claim 11.

10. **As per claim 13 and dependent claim 14**, the examiner found no reference in the prior art that disclosed or made obvious a medical system having a collimator comprising first and second leaf plate driving bodies further comprising a) one rotating device for moving a plurality of leaf plates together along one direction during a certain period by engaging with a gear portion at each of the plurality of leaf plates b) a plurality of guide members for holding a leaf plate slidably in one direction and c) a guide member moving device for moving the guide members along a direction substantially perpendicular to the one direction as recited in independent claim 13.

11. **As per claim 15**, the examiner found no reference in the prior art that disclosed or made obvious a medical system having a collimator comprising first and second leaf plate driving bodies further comprising one rotating device for moving a plurality of leaf plates together along one direction during a certain period by engaging with a gear portion at each of the plurality of leaf plates and an expansion/ contraction member for expanding and contracting along a direction substantially perpendicular to the one direction as recited in independent claim 15.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Courtney Thomas whose telephone number is (571) 272-2496. The examiner can normally be reached on M - F (9 am - 5 pm).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on (571) 272 2490. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CT
Courtney Thomas


EDWARD J. GLICK
SUPERVISORY PATENT EXAMINER